

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIQUAN BOOKER,

Plaintiff,

-against-

SERGEANT SEFMAN,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/20/2023

7:22-cv-2355-NSR

ORDER

NELSON S. ROMÁN, United States District Judge:

Plaintiff Diquan Booker (“Plaintiff”) brings this *pro se* action pursuant to 42 U.S.C. § 1983 alleging violations of his Constitutional rights. (ECF No. 30.) By order dated April 26, 2022, the Court granted Plaintiff’s request to proceed without prepayment of fees, that is, in forma pauperis (“IFP”). (ECF No. 8.)

On May 9, 2022, Plaintiff filed a motion for settlement (ECF No. 14.), which was denied without prejudice on May 10, 2022. (ECF No 16.) The Court stated that motions for settlement are improper, and that such requests must be addressed to Defendant’s counsel, not the Court. (*Id.*) Plaintiff filed a renewed motion for settlement on June 6, 2022. (ECF No. 19.) The Court denied the renewed motion without prejudice, explaining again that motions for settlements are improper, and that such requests must be made to Defendant’s counsel. (ECF No. 22.) Plaintiff filed an interlocutory appeal of the Court’s denial of his motion for settlement. (ECF No. 27.) The appeal was denied for lack of jurisdiction on December 9, 2022. *See Booker v. Sefman*, C.A. No. 22-1738, ECF No. 24 (2d Cir. issued Dec. 9, 2022).


On January 18, 2022, Plaintiff has once more filed a motion for settlement. (ECF No. 33.) The defendant in this matter, Sergeant Sefman, is in the process of being served the amended

complaint, and his attorney has not yet made an appearance. The Court will once again remind Plaintiff that motions for settlement are improper, and must be addressed to Defendant's counsel.

Accordingly, Plaintiff's second renewed motion for settlement is also DENIED without prejudice. The Clerk of the Court is kindly directed to mail a copy of this Order to *pro se* Plaintiff and show service on the docket.

Dated: January 20, 2023
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE